IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 20TH SEPTEMBER 2006 / 29TH BHADRA 1928

Bail Appl..No. 5534 of 2006

CRMP.3379/2006 of J.M.F.C., SASTHAMCOTTA
CRIME NO.51/2006 OF EXCISE RANGE, SASTHAMCOTTA

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PETITIONER/ACCUSED

RAJESH, S/O. ANTAPPAN,
AATTUCHIRAYIL VEEDU, KIDANGAYAM MURI,
KUTTANAD TALUK, ALAPPUZHA DISTRICT,
NOW RESIDING AT SIBI BHAVANAM, EDACKADU MURI,
PORUVAZHY VILLAGE, KUNNATHUR.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT/STATE

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. EXCISE INSPECTOR,
SASTHAMCOTTA EXCISE RANGE, SASTHAMCOTTA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5534/2006

DATED THIS THE 20TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested on 22.8.2006 with seven liters of illicit arrack and 25 liters of wash, by the Inspector of Excise Range, Sasthamcotta, who registered C.R.No.51/2006 of that Excise Range, under Section 8(1) & (2) as well as 55(g) of the Abkari Act. The petitioner remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the completion of the investigation in respect of the petitioner, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Sasthamcotta.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 26.9.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs